

Chapter 65

SOLID WASTE DISPOSAL

§ 65-1. Title	§ 65-8. Penalty
§ 65-2. Purpose	§ 65-9. Separability
§ 65-3. Definitions	§ 65-10. Effective Date
§ 65-4. Solid Waste Disposal Area	§ 65-11. Rules and Regulations
§ 65-5. Use of Solid Waste Disposal Area	§ 65-12. Amending Fee Schedule
§ 65-6. Rules and Regulations	§ 65-13. Transfer Station Fee Schedule
§ 65-7. Enforcement	

[HISTORY: Adopted by the Town of Waldoboro 03-24-1980 as ATM Art. 34 (superseding Art. 14 of 03-07-1964 ATM). Amendments noted where applicable.]

Article I. TITLE, PURPOSE & DEFINITIONS.

§ 65-1. Title.

This Ordinance shall be known and may be cited as the Town of Waldoboro Solid Waste Disposal Ordinance.

§ 65-2. Purpose.

The purpose of this Ordinance is to promote the general health and welfare of the citizenry of the Town of Waldoboro, to provide for the orderly disposal of solid waste, to protect the environment, to control pollution, and to provide for an adequate disposal facility for the future.

§ 65-3. Definitions.

For the purpose of this Ordinance, the following terms, words or phases shall have the meaning set forth herein:

- 3-1 **Garbage** - All waste from the preparation, cooking and consumption of food, market refuse, waste from the handling, storage and sale of produce shall be referred to as Garbage.
- 3-2 **Permitted User** - Any Resident or Resident Business of a municipality which has contracted with the Town of Waldoboro for the use of the Solid Waste Disposal Area shall be referred to as a Permitted User.
- 3-3 **Resident** - Any person who lives within the Town of Waldoboro shall be referred to as a Resident.
- 3-4 **Resident Business** - Any commercial, professional, retail, wholesale or other

business conducted by a person, corporation, partnership, association or other legal entity, existing within the Town of Waldoboro shall be referred to as a Business Resident.

3-5 **Rubbish** - All combustible materials such as, but not limited to, paper cartons, boxes, barrels, wood and excelsior, tree branches, yard trimmings, wood furniture and bedding and non-combustible material such as, but not limited to metals, tin cans, plastic containers, dirt, glass, crockery, and other mineral refuse, shall be referred to as Rubbish.

3-6 **Solid Waste** - All garbage and rubbish shall be referred to as Solid Waste.

3-7 **Solid Waste Disposal Area** - Land which has been designated by the Town Selectmen for the disposal of Solid Waste for the Town of Waldoboro shall be referred to as Solid Waste Disposal Area.

Article II. GENERAL.

§ 65-4. Solid Waste Disposal Area.

The Municipal Officers shall designate a Solid Waste Disposal Area for the dumping or depositing of solid waste, and the dumping or depositing of any solid waste at any other place than at such designated Solid Waste Disposal Area is prohibited.

§ 65-5. Use of the Solid Waste Disposal Area. [Amended 09-15-1987 by STM Art. 8]

5-1 No person, firm, corporation, or other legal entity shall deposit, or cause, or permit to be deposited, any solid waste matter in any structure or in, on, or under any land within the Town of Waldoboro which solid waste matter originates, or is collected, or is in anyway gathered or assembled from outside the Town of Waldoboro. This provision shall not apply to the disposal of solid waste at the Waldoboro Transfer Station and Inert Landfill pursuant to any agreement between the Town of Waldoboro and any other Maine Municipality.

5-2 Each vehicle entering the Solid Waste Disposal Area shall have a decal affixed to the left front bumper of the vehicle. Permitted users may obtain their decal from the office of the Tax Collector for the Town of Waldoboro. Temporary permits shall be available for non-residents engaged in work in Waldoboro who need to dispose of materials, be allowed to do so.

5-3 Each applicant for a decal shall inform the Tax Collector of the Town of Waldoboro of the following:

- a) Name of applicant
- b) Address of the applicant
- c) Year, make and serial number of the vehicle to which the decal is to be attached.

5-4 Household wastes and other materials utilized for agriculture purposes shall be exempted from the provisions of this Ordinance.

5-5 This Ordinance shall not restrict any present or future commercial solid waste within the Town of Waldoboro, from the use of the solid waste disposal area.

§ 65-6. Separation of Solid Waste. [Amended 03-10-1984 by ATM Art. 30]

All material brought to the sanitary landfill for disposal shall be separated into the following categories to be deposited in designated containers or locations as the landfill attendant directs unless the permitted user elects to pay a fee as established by the Board of Selectmen:

- a) Glass (clear only)
- b) Cans (tin, steel or aluminum)
- c) Newspaper
- d) Mixed Paper (Junk mail, catalogs, magazines, etc)
- e) Cardboard
- f) Construction & Demolition debris (burnable material shall be separated from the nonburnable materials)
- g) Metal White Goods (i.e. appliances)
- h) Tires
- i) Trees, brush, leaves and other natural combustibles (not exceeding five (5") inches in diameter)
- j) Garbage (any other residential waste which is not listed above)

§ 65-6. Rules and Regulations. [Amended 03-10-1984 by ATM Art. 30]

The Municipal Officers are empowered to make Rules and Regulations after, notice of hearing, for the operation of said Public Dumping Ground, including its hours of operation. Any person violating said Rules and Regulations shall be subject to a fine as provided in Section 8.

Fees for the use of the Waldoboro Landfill shall be established by the Board of Selectmen by resolution after notice and hearing. Such fees may be set to defray the Town's expense for landfill operations and such fees may be established for the purpose of encouraging recycling of solid waste.

§ 65-7. Enforcement.

- 7-1 The Dump Attendant, or his Authorized Agent, shall have the right to stop and inspect any vehicle, and inquire of any person entering the Solid Waste Disposal Area to determine whether the provisions of this Article, or any Rules and Regulations adopted pursuant hereto, are being complied with.
- 7-2 Any occupant of any vehicle who refuses to allow the Dump Attendant, or his Authorized Agent to inspect the vehicle or the Solid Waste contained therein, or refuses to answer questions pertinent to determining whether this Ordinance or Rules and Regulations adopted pursuant hereto have been violated may be refused access to the Solid Waste Disposal Area by the Dump Attendant, or his Authorized Agent, and shall not be allowed to deposit his Solid Waste.

Article III. PENALTY, SEPARABILITY & EFFECTIVE DATE

§ 65-8. Penalty.

Whoever violates any of the provisions of this Ordinance shall be punished *by* a fine of not more than One Hundred Dollars (\$100.00) for the first offense, and up to Two Hundred Dollars (\$200.00) for the subsequent offense, to be recovered, on complaint, to the use of the Town of Waldoboro.

§ 65-9. Separability.

The invalidity of any provisions of this Ordinance shall not invalidate any other part.

§ 65-10. Effective Date.

The effective date of this Ordinance shall be March 24, 1980 and shall supersede the Ordinance to Regulate Public Dumping Grounds enacted at the Annual Town Meeting held March 7, 1964.

§ 65-13. Rules & Regulations. [Adopted by Resolution by Board of Selectmen 03-28-1989, effective 04-15-1989.]

These rules and regulations are promulgated pursuant to the Town of Waldoboro Solid Waste Disposal Ordinance.

I. Responsibility

It shall be the responsibility of each resident or primary occupant of a dwelling, commercial or industrial facility to provide for disposal of all refuse generated therein in accordance with these rules and regulations and the Town of Waldoboro Solid Waste Disposal Ordinance. This responsibility includes the separation of refuse, delivery of refuse to the transfer station, using proper home storage of refuse, and proper methods of home disposal.

II. Hours of Operation

A. The Transfer Station compactor area shall be open as follows:

Sunday	10:00 am – 4:00 pm
Tuesday	10:00 am – 4:00 pm
Wednesday	10:00 am – 4:00 pm
Friday	10:00 am – 4:00 pm
Saturday	10:00 am – 4:00 pm

B. The brush/scrap metal accumulation area shall be open as follows:

Sunday	10:00 am – 4:00 pm
Tuesday	10:00 am – 4:00 pm
Wednesday	10:00 am – 4:00 pm
Friday	10:00 am – 4:00 pm
Saturday	10:00 am – 4:00 pm

Vehicles disposing materials in the brush/scrap metal accumulation area shall be limited to only three (3) vehicles at any one time.

C. The Waldoboro Transfer Station shall only be open at other times with specific agreement by vote of the Waldoboro Board of Selectmen.

III. Separation of Waste Stream

All items, unless otherwise specified, must be delivered to the Waldoboro Transfer Station in separated

form and properly placed in the designated area. Glass and aluminum cans are not required to be separated. All other items classified as recyclable materials are encouraged to be recycled, but not required.

Recyclable Materials

- A. *Glass. All glass, beverage glass, bottles, jars, or other forms shall be separated and delivered to the Transfer Station and shall be deposited in glass bins according to color when the Recycling Program permits. At other times glass shall be placed in the compactor.
- B. *Aluminum Beverage Cans. All aluminum cans shall be separated and delivered to the Transfer Station in an easily handled form when the Recycling Program permits. At all other times aluminum cans shall be placed in the compactor.
- D. Newspaper. Color printed as well as black and white are encouraged to be placed in recycling containers as designated by operator.
- E. Corrugated Cardboard. All cardboard is encouraged to be broken down flat and properly placed in designated cardboard containers.

*Not required to be separated effective April 15, 1989.

Demolition and Construction Materials:

- F. Stumps and construction demolition debris (including bricks, bituminous pavement, broken concrete, dirt, yard waste, sod, asphalt shingles, broken wall board, sheetrock and insulation). All materials shall be placed in the proper designated disposal area of the inert landfill.
- G. Brush, treelimbs and branches. All shall be cut into lengths not to exceed 8 feet and shall not include diameters greater than 6" and shall be disposed in burning area of the inert landfill.
- H. Leaves, grass and other natural vegetation. All shall be in burnable bags containing only these items and shall be disposed in burning areas.
- I. Furniture, mattresses and bedsprings. All should be disposed of in the proper accumulation area.
- J. Demolition Lumber. Shall be cut into lengths not to exceed eight (8) feet and shall be disposed in the inert landfill in the burning area.
- K. Portable radios, TV's. Shall be disposed of in the compactor.
- L. Floor model or console radios, TV's, sound systems, etc. All shall be placed in the proper accumulation area.
- M. Asbestos. Shall not be accepted at the transfer station.

White Goods and Scrap Metal

- N. Refrigerators, freezers, white goods. Shall have all doors removed before being brought to the Transfer Station and shall be disposed in the proper accumulation area.

- O. Water heaters, stoves, washers, dryers and other enamel appliances. Need not be disassembled. Shall be disposed in the proper accumulation area.
- P. Sheet metal items. Shall be cut or folded and flattened such that no dimension exceeds four (4) feet.
- Q. Iron, steel, aluminum, copper and brass. Items shall be separated by material type and disposed in the proper accumulation area.
- R. Wire and cable. Other than individual pieces must be placed inside 55 gallon drums at the white goods accumulation area.
- S. Junked vehicles, fuel tanks of any kind and catalytic converters. Shall not be accepted at the Transfer Station.

Tires:

- T. Tires. All tires will have rims removed and shall be disposed in the proper accumulation area.

Waste Oil:

- U. Waste Oil. Waste oil shall be disposed in designated barrels. Only residential waste oil will be accepted.

Batteries:

- V. Car Batteries. Shall be disposed in the proper accumulation area to be later hauled to a lead recycling center.

Hot Load Area:

- W. Ash. All stove or coal ashes or any kind of hot or cold ashes will be disposed in designated drums or barrels.

IV. Unacceptable Waste

The following types of waste shall not be accepted at the Waldoboro Transfer Station.

- A. Any substance, in any amount, which is now or hereafter classified as hazardous or special waste by the Department of Environmental Protection or the U.S. EPA, unless licensed to do so by the appropriate agency and the Board of Selectmen.
- B. Dead animals or other pathological waste.
- C. Truckload lots of tires or shellfish waste.
- D. Junk vehicles or fuel tanks of any kind.
- E. Septage, septage treatment waste, septic tank waste, sludge from wastewater treatment plants.

V. Household Solid Waste

All household solid waste must not include any of the above listed items. This waste must be disposed in the Transfer Station compactor in plastic bags or in suitable containers.

The Transfer Station attendant(s) may examine any material brought to the Transfer Station to insure that rules and regulations are complied with. The Transfer Station attendant(s) may refuse to accept any solid waste that is hazardous or that is not separated in accordance to these rules and regulations. Regular police enforcement will be maintained. Violators will be prosecuted.

VI. Home Storage and Disposal Requirements

Storage shall be responsibility of all dwelling, commercial and industrial facility owners or primary occupants. Storage shall be in closed containers or by other similar methods to preclude odors, rodents, insects, etc. from becoming a nuisance.

VII. User Fees

User fees shall be established by Resolution of the Board of Selectmen after notice and hearing.

§ 65-12. Amending the Fee Schedule for Solid Waste Disposal. [Adopted by Resolution by the Board of Selectmen 07-09-1991, effective 09-01-1991.]

WHEREAS, Title 38, MRSA, Section 2132 establishes a goal to recycle 25% of the municipal solid waste generated each year by January 1, 1994, AND

WHEREAS, the Solid Waste Disposal Ordinance of the Town of Waldoboro requires separation of solid waste, AND

WHEREAS, the Solid Waste Disposal Ordinance of the Town of Waldoboro authorizes fees for the use of the Waldoboro Transfer Station to be set by order of the Board of Selectmen, AND

WHEREAS, the County of Lincoln has an established recycling program which will produce revenues to offset solid waste disposal operation costs and reduce the amount of wastes to be transported and disposed of at a regional disposal facility, AND

WHEREAS, commercial waste haulers transport wastes to the Waldoboro Transfer Station which may require special handling or in a manner which may preclude recycling and thereby increase Waldoboro's solid waste disposal costs while reducing potential revenues,

THEREFORE, be it ordered by the Board of Selectmen of Waldoboro that effective **September 1, 1991** the fee schedule, adopted April 15, 1989, is amended to include the following:

1. Commercial Hauler:

- a. A commercial hauler shall be defined as anyone hauling waste other than their own to the Transfer Station.

2. Fees for Commercial Waste:

- a. Non-recycling Commercial Haulers
 - 1) \$10/estimated ton
 - b. Recycling Commercial Haulers
 - 1) Three free loads of rubbish may be dumped into the trash hopper for every one load of recycled materials brought to the transfer station.
 - 2) For pick-up trucks – if $\frac{1}{4}$ of load is recycled material and $\frac{3}{4}$ of load is trash for the trash hopper, the hauler will not be charged a user fee.
2. Fees for Non-Commercial Waste:
- a. Non-Commercial, non-recycling
 - 1) \$1.00 per trip
 - b. Non-Commercial, recycling
 - 2) Exempt from fees
3. A disposal fee of \$1.00 will be charged for each automobile tire brought to the transfer station whether by private citizen or commercial hauler.
 4. A disposal fee of \$2.00 will be charged for **each** mattress or box spring brought to the transfer station whether by private citizen or commercial hauler.
 5. **All** persons using the Transfer Station are required to cover their loads to prevent moisture from adding weight and to prevent trash from being blown off by the vehicles along the roads on the way to the Transfer Station.

§ 65-13. Transfer Station Fee Schedule. [Adopted as part of Rules and Regulations Resolution by Board of Selectmen 03-28-1989. Amended as part of Resolution Amending the Fee Schedule for Solid Waste Disposal by Board of Selectmen 07-09-1991.]

Solid Waste (Garbage & Rubbish)

Non-recycling commercial haulers*

Recycling commercial haulers*

1. Three (3) free loads of rubbish may be dumped into the trash hopper for every one load of recycled materials brought to

the transfer station.

\$1.00/trip

2. For pick-up trucks, if ¼ of a load is recycled material, and ¾ of the load is trash for the trash hopper, the hauler will not be charged a user fee.

Non-commercial recycling

Free

Non-commercial non-recycling

\$1.00/each

\$2.00/each

*A commercial hauler shall be defined as anyone hauling waste other than their own to the Transfer Station.

Tires

\$2.00/each

Passenger tires (without rims):

\$2.00/each

- Up to two (2) per customer
- More than two (2) tires

Effective 4/15/89

Truck tires (without rims)

\$5.00

\$30.00

Mattress/Box Spring

Mattress

\$100.00

Box Spring

\$175.00

Demolition Debris

Pick up Truck (1 - 2 yds.)

Dump Truck (5 – 6 yds.)

\$5.00

Wheeler/Pulp Truck

- Less than a half load
- More than a half load

Scrap Metal:

- Pick up Truck (1 – 2 yds.)
- Wheeler/Pulp Truck
- Dump Truck

White Goods/Scrap Metal*

White Goods:

*Residential Use Only

- Per Item

Permit

Effective 9/1/91

Residential

Commercial (Annual)

\$10.00/estimated ton

Free with compliance with recycling volume requirements (see #1 and #2)

Covered Loads Required

All persons using the Transfer Station are required to cover their loads to prevent moisture from adding weight and to prevent trash from being blown off the vehicles along the roads on the way to the Transfer Station.

Exempt

\$5.00
Not Acceptable
Not Acceptable

Free
\$25.00